

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

October 18, 2004

Regular Meeting

The regular meeting of Council was called to order by President Saxton at 8:00 p.m. in the Council Chamber, City Hall, 4035 Broadway.

After a moment of silent prayer and the Pledge of Allegiance, roll was called and the following members were present:

Rich Lester Bob Hatley Bill Saxton Maria Klemack Vaughn Radi

1. Mr. Lester moved to dispense with the reading of the previous meetings minutes and approve as written; seconded by Ms. Klemack.

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| Mr. Lester | Yes |
| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Yes |

2. The Chair recognized the Mayor who, with the assistance of Tim Harris, Chamber President, recognized this year's Arts-in-the-Alley Parade Winners. They were: Girl Scout Troup 1847 for Peoples Choice; G.C. Tree Commission for Grand Marshall; and The Church of the Nazarene for Mayor's Award.
3. The Chair read the agenda items and they were approved by unanimous consent.

The Chair recognized Mr. Hatley, Chairman of Finance, for discussion and voting of legislative agenda items under said Committee.

1. Ordinance C-92-04 (Appropriate \$10,000.00 from the Community Development Fund for the Current Expense of a Grant for the Grove City High School Band) was given its second reading and public hearing.

Mr. Hatley explained that this money is coming from the Community Development Fund, which comes from the Bed Tax. Mayor Grossman noted that taxpayer dollars were not being used for this.

Mr. Radi requested that he be excused from voting, since he has two children in the band. Mr. Hatley moved to excuse Mr. Radi from the vote; seconded by President Saxton.

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| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Yes |
| Mr. Lester | Yes |

There being no additional questions or comments, Mr. Hatley moved it be approved; seconded by Mr.

Lester.

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| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Abstain |
| Mr. Lester | Yes |
| Mr. Hatley | Yes |

2. Ordinance C-93-04 (Appropriate \$2,846.00 from the Drug Enforcement Fund for Current Expenses) was given its second reading and public hearing and Mr. Hatley moved it be approved; seconded by Mr. Radi.

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| Ms. Klemack | Yes |
| Mr. Radi | Yes |
| Mr. Lester | Yes |
| Mr. Hatley | Yes |
| Mr. Saxton | Yes |

3. Ordinance C-95-04 (Authorizing the Issuance of Not to Exceed \$1,500,000.00 of Bonds for the purpose of Refunding Various Purpose General Obligation Bonds issued in 1993 for the purpose of authorizing the Execution of a Bond Purchase Agreement in Connection with the Sale of the Bonds, Authorizing the Purchase of a Municipal Bond Insurance Policy in connection with the Bonds, Approving the Form of an Official Statement Relating to the Bonds and Declaring an Emergency) was given its first reading.

Mr. Hatley explained that the City is taking advantage of low interest rates and approving this as an emergency will allow us to secure the new bonds at the best rate. This will save about \$113,000.00.

There being no additional questions or comments, Mr. Hatley moved that the Rules of Council be suspended and the Waiting Period waived; seconded by President Saxton.

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| Mr. Radi | Yes |
| Mr. Lester | Yes |
| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |

Mr. Hatley moved it be approved as an emergency; seconded by Ms. Klemack.

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| Mr. Lester | Yes |
| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Yes |

4. Ordinance C-96-04 (Authorizing the Issuance of Notes in the Amount of Not to Exceed \$7,550,000.00 in anticipation of the Issuance of Bonds for the purpose of Improving Buckeye Parkway by Widening, Repaving and Constructing Drainage Improvements and Related Infrastructure with Landscaping, Traffic Control Devices, Lighting, and related Improvements, and Appropriating Funds Therefor, and Retiring Notes previously issued for such

Purpose and Approving the Form of Official Statement) was given its first reading. Second reading

and public hearing will be held on November 1, 2004.

5. Ordinance C-97-04 (Appropriate \$70.00 from the Community Environment Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on November 1, 2004.
6. Resolution CR-77-04 (Indicating that the Council of the City of Grove City, Ohio intends to make Funds Available to Match Funds that may be Granted by Housing and Community Development Block Grant Programs and Authorizing the City Administrator to File Applications) was given its reading and public hearing and Mr. Hatley moved it be approved; seconded by Mr. Lester.

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| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Yes |
| Mr. Lester | Yes |

The Chair recognized, Mr. Radi, Chairman of Service Committee, for discussion and voting of legislative agenda items under said committee.

1. Resolution CR-78-04 (Support the Big Darby Accord Regional Planning Process) was given its reading and public hearing.

Mayor Grossman explained that as they look at ESDA requirements, this is a culmination of many government entities coming together to protect the Big Darby Watershed.

There being no additional questions or comments, Mr. Radi moved it be approved; seconded by Mr. Hatley.

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| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Yes |
| Mr. Lester | Yes |
| Mr. Hatley | Yes |

The Chair recognized, Ms. Klemack, Chairman of Safety Committee, for discussion and voting of legislative agenda items under said committee.

1. Ordinance C-94-04 (Amend Section 1101.09 of the Codified Ordinances titled Development Fees) was given its second reading and public hearing.

Mayor Grossman explained that after reviewing fees in other Central Ohio communities, we were the very lowest and this brings us more in line with those other cities.

There being no additional questions or comments, Ms. Klemack moved it be approved; seconded by Mr. Radi.

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| Ms. Klemack | Yes |
| Mr. Radi | Yes |
| Mr. Lester | Yes |
| Mr. Hatley | Yes |
| Mr. Saxton | Yes |

The Chair recognized, Mr. Lester, Chairman of Lands & Zoning Committee, for discussion and voting of legislative agenda items under said committee.

1. Ordinance C-85-04 (Approve the Rezoning of 141.46 acres located at 7620 Jackson Pike from SF-1 to PUD-R) was given its second reading and public hearing.

Mr. Ben Hale, attorney for petitioner was present and explained the history of the project. He explained that it started as a Neo-traditional development and has since been changed to mostly single-family homes with their Preserve product. The only other place this product is being developed is in New Albany. He provided an overview of the Development Plan and commented that Council had requested more diversity in the lot sizes. They have since agreed to make some alterations and increase some of the lot sizes. Mr. Lester reminded Mr. Hale that this Ordinance was for rezoning and asked if there were any comments pertaining to that.

Ms. Kathleen Castro, contiguous property owner, commented that with this many homes, you would increase the attendance at the schools. She feels this allows too many homes and the development would decrease her property value. She also stated that the traffic is ridiculous and with all the accidents that are there now, you can't get out of your driveway.

Ms. Lori McCall, Scioto Meadows resident, questioned the lot sizes. Mr. Lester explained that this project would have a variety of lot sizes, with a minimum size of 70 feet wide, which is the same as Scioto Meadows. There are 252 total lots, with 118 70' wide lots; 53 75' wide lots, and 81 80' wide lots. Ms. McCall asked if the lot depth would also vary. Mr. Lester said yes, but the minimum lot width would be 120', which is also the same as Scioto Meadows.

Mr. Hatley commented that the original proposal for this property was for a Traditional Neighborhood Development, which is similar to the development south on S.R. 104. The lot sizes were much smaller and the density much higher. When the City said they didn't want this, M/I said they would just annex the property to Columbus. If that would have happened, you can only imagine what would have gone in. Through some effort, we have come to an agreement that may not be the ideal project, it is much better than the alternatives that could be forced upon us. The land is zoned residential and homes will be built on it regardless of who does it. It was felt that it would be better for Grove City to have it rather than Columbus.

There being no additional questions or comments, Mr. Lester moved it be approved; seconded by Ms. Klemack.

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| Mr. Radi | Yes |
| Mr. Lester | Yes |
| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |

2. Ordinance C-90-04 (Approve the Annexation of 151.2 acres located at the Northeast corner of State Route 104 and State Route 665) was given its second reading and public hearing.

Mr. Ben Hale, attorney for petitioner was present.

Ms. Castro asked where the dividing line would be for Grove City now. Mr. Saxton stated that this parcel would be the dividing line now. Mayor Grossman explained the Water/Sewer Contract we have with Columbus and what our boundaries are because of that. Mr. Lester further

explained that this would go to the southern line of S.R. 665. Ms. Castro asked if she would now call Grove City Police if she has a problem. It was explained that this annexation does not include her property and she would still be in the Township, under the Franklin County Sheriff's Dept.

There being no additional questions or comments, Mr. Lester moved it be approved; seconded by Ms. Klemack.

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| Mr. Lester | Yes |
| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Yes |

3. Ordinance C-91-04 (Accept the Annexation of 0.506 acres located at 3767 Casa Blvd.) was given its second reading and public hearing.

Mr. Joe Hull, attorney for petitioner, was present and stated that there were some issues at the last Council Meeting concerning some potential violations. He received a call from Mike Stoll today, notifying him that they have now been cleaned up by the property owner.

There being no additional questions or comments, Mr. Lester moved it be approved; seconded by Ms. Klemack.

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| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Yes |
| Mr. Lester | Yes |

4. Resolution CR-65-04 (Approve the Development Plan for Scioto Landings located at 7620 Jackson Pike) was given its reading and public hearing.

Mr. Ben Hale, attorney for petitioner was present. He explained that the base house sizes are between 2,200 and 2,600 sq. ft. They believe they are at the same size or larger than those in Scioto Meadows and believe they will be very compatible. As for the intersection, there is an improvement to S.R. 665 & S.R. 104 scheduled by the State. They are also widening the entrances to their project to allow for better movement. Mayor Grossman asked about the historical home on the corner. Mr. Hale stated that the historical home was left out of the development. The lot was increased around it and is now being restored.

Mr. Hatley asked about the future condo site. Mr. Hale said it is projected to be 121 condos on 24 acres. They are required to bring a separate Development Plan forward for that part of the project. They believe there is a market in Grove City and their analysis shows that condominium projects have a very low impact on the schools. M/I is just now getting into the condo market in Central Ohio. They have done them in other portions of the country. He said at this point, he doesn't know if M/I will build them or sell that development. He said they would bring back something that is compatible with the style of homes there.

Mr. Lester commented that he understand there are a few amendments that need to be made to reflect the new lot size changes.

Mr. Lester moved to replace the Scioto Landings name with Stratford Meadows throughout the Resolution; seconded by Mr. Hatley.

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| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Yes |
| Mr. Lester | Yes |
| Mr. Hatley | Yes |

Mr. Lester moved to replace the Development Text with that dated 10/7/04; seconded by Ms. Klemack.

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| Ms. Klemack | Yes |
| Mr. Radi | Yes |
| Mr. Lester | Yes |
| Mr. Hatley | Yes |
| Mr. Saxton | Yes |

Mr. Lester moved to amend Section 1 to include the following stipulation: 1. The total number of lots shall be 252, with 118 at 70' wide; 53 at 75' wide; and 81 at 80' wide, and as shown in the Land Use Exhibit dated 10/1/04; seconded by President Saxton.

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| Mr. Radi | Yes |
| Mr. Lester | Yes |
| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |

There being no additional questions or comments, Mr. Lester moved it be approved; seconded by President Saxton.

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| Mr. Lester | Yes |
| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Yes |

5. Resolution CR-74-04 (Approve the Development Plan for Chick-Fil-A located in the Parkway Centre North Shopping Center) was given its reading and public hearing.

Mr. Joe Tribble, representing Chick-Fil-A, reviewed the project on the North side of Stringtown Road. He stated that they have agreed to 9 of the 10 stipulations set by Planning Commission and as discussed at the last Council meeting, the Administration has agreed to separate the speaker box from the menu board, which the final stipulation required to be one unit. Also, there was a question of the canopy. He explained that he reviewed this with Chick-Fil-A and it is not possible to move the drive-thru to the rear on this building. He requested that Council reconsider allowing them to retain it. He explained that their reasons for wanting to retain this canopy are: 1. It is solely there for the customer's convenience and is an extra expense that they are willing to incur; 2. Because of this canopy, QSR Magazine rates them as the #1 drive-thru in America. *Mr. Haley* commented that he is not questioning the importance of the canopy, just the location. He said if it were so important to the company, it wouldn't be in a place that is so obtrusive to the front of the building. He said he ate at a Chick-Fil-A on vacation last week and the drive-thru was all in the back. It looked very nice and worked well. He said he understands the importance of it and it is nice to order food without getting wet. However, he believes it detracts from the appearance of this building and the appearance of the

Centre, which they are trying to maintain. *President*

Saxton also commented that Council is trying to keep with a Theme for the entire Centre and this just doesn't go along with that theme. That is why Chick-Fil-A was asked to change the color of the menu board items to bronze and eliminate the canopy. *Mr. Lester* concurred that they are trying to maintain the entire look from Stringtown Road and are really holding fast to the Theme on both sides of the road. *Mr. Tribble* said they have looked at other alternatives and the traffic pattern for the site really doesn't lend itself to any other configuration. To get the drive-thru on the back side, the whole building would need to be flipped and that would cause customers to drive around the building to get to it and all the way around to get out. He said in light of Council's comments, he asked that they proceed without the canopy.

There being no additional questions or comments, Mr. Lester moved to amend Section 1 to exclude stipulation #8 and include the following stipulation: 1. A speaker stand is approved as a separate unit without the canopy, contingent upon the pre-sales menu board, speaker structure and Menu Board being dark bronze to match the window and doorframes; seconded by Mr. Radi.

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| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Yes |
| Mr. Lester | Yes |

Mr. Lester moved it be approved; seconded by Mr. Hatley.

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| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Yes |
| Mr. Lester | Yes |
| Mr. Hatley | Yes |

6. Resolution CR-76-04 (Approve the Preliminary Development Plan for Gaslight Square on Broadway located at 4408 Broadway) was given its reading and public hearing.

Mr. Tom Fortin, developer, reviewed the project of 10 4-family units and a commercial building in the front, along Broadway. There is a density of 5.1 units per acre and all units will be ranch styled. There is 1,100 lineal feet of sanitary sewer needed, through Windsor Park. In exchange for an easement from the City for this sanitary sewer line, he will donate about 22,000 sq. ft. of ground on the east end for additional park ground. He said this extension would also provide access to the residents on Ventura Blvd. *Mr. Hatley* asked about the relocation of the retention pond mentioned in the Planning Commission stipulations. Mr. Fortin said they have changed the plan to place enlarge that pond and move it to the south edge of the property. In addition, he eliminated one 4-family unit from the front (northwest end). Mr. Hatley asked if Dollar General was still the prospect for the commercial portion. Mr. Fortin said they have a contingent contract with Dollar General. They understand that they will need to get separate approval for that building. *Mr. Radi* asked what the street width was between the four-family units. Mr. Fortin said it was 1735' from south edge and 1591' from north edge. Mr. Radi asked what the setback was from the street and rear. Mr. Fortin wasn't sure. Mr. Radi expressed his concern over the density, setbacks, the amount of rear yard space available and how the units fit into the space. *Mr. Lester* explained that this is a Preliminary plan and Council has expressed a number of issues to the addressed on the Final Plan, along with the 8 stipulations from Planning Commission. He

said it is a challenging site and thinks he is going in the right direction to make some positive things happen in the area.

There being no additional questions or comments, Mr. Lester moved it be approved; seconded by President Saxton.

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| Ms. Klemack | Yes |
| Mr. Radi | No |
| Mr. Lester | Yes |
| Mr. Hatley | Yes |
| Mr. Saxton | Yes |

7. Resolution CR-79-04 (Approve the Development Plan for Longhorn Steakhouse located at the Northeast corner of Thistlewood and Stringtown Roads) was given its reading and public hearing.

Mr. Brett Mashchak, representing petitioner, was present and explained that Longhorn is going through a change and has gotten rid of the hardy plank wood building. Their new building is more upscale. He said there were only two stipulations set by Planning Commission. They are happy to comply with the landscaping stipulation. The other was for signage, which they had discussed covering the neon with either a white or red plex. The Planning Commission asked for white. After returning to the office and speaking with the Vice President of Construction, he found out that white plex was not going to be a suitable solution. They only have one building with the white covering and at night, it looks pink. They do not want to do this again. He asked that Council change the stipulation to either allow for the typical sign with exposed neon or to allow for red plex facing over the neon. *Mr. Saxton* commented that we are trying to develop a Theme for the Centre and Planning Commission made their recommendation in keeping with that theme. He said the City would love to have them at the Centre, but he could not support changing the Planning Commissions recommendation. Mr. Mashchak commented that the Development Text asks for unique developments and allows for restaurants to have some of their own identity. Going up and down Stringtown Road, there are a number of restaurants with maybe only one having white plex signage. Mr. Saxton stated that if you go down to Parkway Centre that is where they are trying to keep the theme.

There being no additional questions or comments, Mr. Lester moved it be approved; seconded by Mr. Radi.

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| Mr. Radi | Yes |
| Mr. Lester | Yes |
| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |

8. Resolution CR-80-04 (Municipal Services that can be provided to a 4.486 acre tract located at 2050 Holton Road upon its annexation to the City of Grove City) was given its reading and public hearing and Mr. Lester moved it be approved; seconded by Ms. Klemack.

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| Mr. Lester | Yes |
| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Yes |

The Chair asked that any new business to be brought before the attention of Council be done

so at this time.

1. Mr. Jim McKean, President of the Rotary Club, introduced the Centennial Committee members with him and explained that it is their 100 years in service internationally. Their committee has come up with a very special project to commemorate the 100 years of Rotary commitment to its communities and its global community. He said the project they have come up with is to donate some funds to enhance the quality of life in Grove City by adopting the lake at Fryer Park. They would commemorate it with a Boulder with a bronze plaque on it and place it at the Lake. They would commit dollars for the development of the Lake – specifically for a dock to enhance the educational theme and allow children to interact with the lake. As an ongoing Rotary project, they would commit dollars annually to plan improvements with the Parks & Rec. Dept. He said some of the suggestions are for paddleboats and other educational programs. He said they are asking Council for their support tonight and demonstrate to the community that Rotary is committed to the City of Grove City. They are also hoping that this will serve as a catalyst for other Service Clubs to adopt parts of the community to raise funds and enhance projects without having to expend any tax dollars. *Mr. Saxton* stated that it is an outstanding gesture on the Rotary's part. He asked Ms. Conrad, Parks & Rec. Dir., for any comments. Ms. Conrad stated that the Rotary has gotten her involved and included her in all their meetings for this project. She is very supportive. *Mr. Hatley* asked if there would be written guidelines and some type of development plan. Mr. McKean said yes, but they wanted to get Council's support before expending a lot of time. Also, to qualify for a Centennial Project, they need to make significant progress prior to February 2005. Preliminary steps would be to work with the City to develop the plan for the Dock and perhaps pour some concrete before February and place the boulder & plaque at the Lake. Generally, get the project moving with any necessary plans being submitted to the City. ***The members of Council expressed their support & endorsement of this project.*** *Mr. Lester* asked for a brief explanation of what Rotary is. Mr. McKean said it began in 1905 as a service organization of businesspersons and professional people. Its name originated from the practice of rotating meetings through various sites. It is committed to international projects, as well as community projects. The largest international project is the Polio + Program. They anticipate that by 2010, their program will eradicate polio.

The Chair recognized members of Administration and Council for closing comments.

1. Mayor Grossman submitted the Mayor's Monthly Report at this meeting, due to her absence last meeting. Mr. Lester moved to accept the Mayor's Report; seconded by Ms. Klemack.

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| Mr. Hatley | Yes |
| Mr. Saxton | Yes |
| Ms. Klemack | Yes |
| Mr. Radi | Yes |
| Mr. Lester | Yes |

2. Council reminded everyone of the Special Meeting, Monday 10/25/04, at 7:00 p.m. with regard to the issue of making public places smoke free. After additional comments from Council and other Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 9:35 p.m.

Tami K. Kelly, MMC

William E. Saxton

Clerk of Council

President